



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Brian Calhoun
Brad Castillo, Acting President
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, JULY 29, 2003

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.

8:30 A.M. ROLL CALL

Invocation by Pastor Bob Willis, Northpark Community Church
Pledge of Allegiance to the Flag

Proclamation of "NEIGHBORS IN HEALTH DAY" - Mayor Autry
Presentation of Resolution of Commendation to Luis Leon, FAX Scheduler

Presentation of Certificates of Commendation for the City of Fresno's "Starting, Owning, and Operating a Small Business" Workshop in Partnership with the Fresno Area Hispanic Chamber of Commerce - Economic Dev. Dept.

Presentation of Recognition Awards to District 4 Students - Acting President Castillo

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. Public testimony will not be taken on unscheduled/non-action items.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of July 22, 2003

Action Taken:

Approve Joint Powers Financing Authority minutes of April 16, 2002 and June 25, 2002
(Members Boyajian and Duncan)

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 11:00 A.M.

A. Approve appointment of Elizabeth Rocha-Lee to the West Area Community Plan - Council President Boyajian

Action Taken:

B. Item removed from agenda

Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

- C. Finding a minor irregularity and award of contract to Royal Electric Company of Sacramento, CA for Fresno Yosemite International Airport construction of new airfield electrical vault - General Services Dept.
Action Taken:
- D. * **RESOLUTION** - 9th amendment to AAR Resolution No. 2003-209 appropriating \$125,000 to fund the construction of a Herndon Avenue right turn lane at northbound Valentine Avenue (***Requires 5 affirmative votes***) - General Services Dept.
Action Taken:
1. Award a contract to American Paving Company, Inc. to construct a Herndon Avenue right turn lane at northbound Valentine Avenue
Action Taken:
- E. Award three (3) non-exclusive contracts to the Plus Group, Act-1 Personnel and Valley Staffing for temporary employment services - General Services Dept.
Action Taken:
- F. Award a contract to Central Valley Truck Center of Fresno for two (2) Class 8, asphalt patch trucks - General Services Dept.
Action Taken:
- G. **RESOLUTION** - Authorize the acceptance of Fiscal Year 2003-2004 grant funds from the State of California Office of Criminal Justice Planning - Police Dept.
Action Taken:
1. * **RESOLUTION** - 10th amendment to AAR Resolution No.2003-209 appropriating \$115,000 to continue the implementation of the Violence Against Women Law Enforcement Specialized Units Program (***Requires 5 affirmative votes***) - Police Dept.
Action Taken:
- H. **RESOLUTION** - Authorizing acceptance of the Office of Criminal Justice Planning 2003 Cycle Juvenile Accountability Incentive Block Grant Award of \$151,400 - Police Dept.
1. * **RESOLUTION** - 11th amendment to AAR Resolution No. 2003-209 appropriating \$151,400 for the Fresno Police Department's Juvenile Accountability Incentive Block Grant Program (***Requires 5 affirmative votes***)
- I. Adopt a Professional Services Agreement between Central California Faculty Medical Group, Inc. (CCFMG) and the Fresno Police Department to provide sexual assault examinations - Police Dept.
Action Taken:
- J. * **RESOLUTION** - 6th amendment to AAR Resolution No. 2003-209 appropriating \$684,000 for continuance of the pre-approved U.S. Department of Justice Local Law Enforcement Block Grants (***Requires 5 affirmative votes***) - Police Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- K. Designation of a City voting delegate for the League of California Cities annual business meeting on September 10, 2003 - City Manager's Office
Action Taken:
- L. Approve appointment of John Dodds to the Mobilehome Rent Review Commission - Mayor Autry
Action Taken:
- M. **(ADD ON) - RESOLUTION** - Approving the Final Map of Tract No. 5123 and accepting dedicated public uses therein; authorize the Public Works Director, Planning and Development Director, and Public Utilities Director to execute the necessary documents.
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

8:30 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of July 22, 2003

Action Taken:

1. **AGENCY GENERAL CONSENT CALENDAR**

- A. **RESOLUTION** - Requesting reimbursement of eligible costs, requesting termination for convenience of U.S. Department of Commerce, Economic Development Administration Federal Assistance Award Agreement (EDA Award No. 07-01-03809), authorizing execution of agreement to terminate, and authorizing certain other actions in connection therewith **(Council and Agency action)**

ADJOURN AGENCY

- 9:30 A.M. Authorize the City Manager to negotiate, expedite and execute an agreement for the purchase and conveyance of property located at the southeast corner of S. Marks and W. California Avenues to the State of California for American Military Veterans Home - Planning and Development Dept.
Action Taken:

- 10:00 A.M. **HEARING** regarding Community Facilities District No. 2, Annexation No. 52, Tract No. 5110 - Public Works Dept.

Action Taken:

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, and authorizing the levy of a special tax
Action Taken:
- b. **RESOLUTION** - Calling special mailed-ballot election
Action Taken:
- c. **RESOLUTION** - Declaring election results
Action Taken:
- d. * **BILL** - Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 52
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. **HEARING** to consider Rezone Application No. R-03-20 and environmental findings, filed by Cambridge Homes, for 10 acres of property located on the south side of E. Nees Avenue between N. Maple and N. Chestnut Avenues - Planning and Development Dept. - **(Property located in District 6)**

Action Taken:

1. Consider and adopt Environmental Assessment No. R-03-20/T-5173, finding of conformance with 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

Action Taken:

2. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-20/UGM (Twenty Acre Agriculture Exclusive/Urban Growth Management) zone district to the R-1/UGM (Single-Family Residential/Urban Growth Management) zone district

Action Taken:

10:30 A.M. Presentation by Mr. Lew Solomon on clean air transportation alternatives and direction to staff as needed to evaluate feasibility of options for Fresno - Councilmember Calhoun

Action Taken:

11:00 A.M. **ADOPT CONTESTED CONSENT ITEMS**

1:30 P.M. Budget reconsideration and veto override items:

- A.** Council consideration, reconsideration, and other action amending and modifying Resolution No. 2003-211 **(Master Fee Schedule)** relating to Fire Department Inspection Fees, as requested by Mayor Autry on July 10, 2003

1. **RESOLUTION NO. 2003-211 - (Action #1 - A-1)** - Reconsider adoption of \$155.00 Fire Department inspection fee (IF business does not correct violation prior to re-inspection)

Action Taken:

2. **RESOLUTION NO. 2003-211 - (Action #1 - A-2)** - Reconsider adoption of \$53.00 Fire Department 1st re-inspection fee

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

1:30 P.M.

Budget reconsideration and veto override items:

B. Council consideration, reconsideration, and other action amending and modifying specific line items of Resolution No. 2003-209 (***Annual Appropriations Resolution***) as requested by Mayor Autry on July 10, 2003

1. **RESOLUTION NO. 2003-209 - (Action #9-B)** - Reconsider appropriating \$1.2 million in CMAQ matching funds to Public Works Capital
Action Taken:
2. **RESOLUTION NO. 2003-209 - (Action #2-B & #3)** - Reconsider appropriating \$230,900 in CDBG funds to Downtown Community Development Corp. Project
Action Taken:
3. **RESOLUTION NO. 2003-209 - (Action #2-C)** - Reconsider appropriating \$341,000 to Convention Center Capital Improvement Project
Action Taken:
4. **RESOLUTION NO. 2003-209 - (Action #2-D)** - Reconsider appropriating \$1,409,100 to Neighborhood Concrete and Street Repair Project
Action Taken:
5. **RESOLUTION NO. 2003-209 - (Action #4-B)** - Reconsider appropriating \$300,000 to Economic Development Corporation
Action Taken:
6. **RESOLUTION NO. 2003-209 - (Action #5-B)** - Reconsider appropriating \$56,300 to READY Program
Action Taken:
7. **RESOLUTION NO. 2003-209 - (Action #5-E)** - Reconsider appropriating \$155,300 to Human Relations Commission, with one (1) staff assistant
Action Taken:
8. **RESOLUTION NO. 2003-209 - (Action #5-F)** - Reconsider funding the READY Program with \$37,800
Action Taken:
 - a. **RESOLUTION NO. 2003-209 - (Action #5-G)** - Amend the AAR, recognizing \$200,000 in revenue from proceeds of sale of police helicopter, and appropriating \$200,000 to READY Program
Action Taken:
9. **RESOLUTION NO. 2003-209 - (Action #6-B)** - Reconsider appropriating \$75,200 to Film Commission
Action Taken:
10. **RESOLUTION NO. 2003-209 - (Action #6-B)** - Reconsider appropriating \$25,000 to READY Program
Action Taken:
11. **RESOLUTION NO. 2003-209 - (Action #7-B)** - Reconsider appropriating \$500,000 for the DAP and LIHP programs
Action Taken:
12. **RESOLUTION NO. 2003-209 - (Action #8-B)** - Reconsider appropriating \$22,000 to City Manager's public relations account
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

1:30 P.M.

Budget reconsideration and veto override items:

- C.** Consider Council override of line item vetoes regarding Resolution No. 2003-209 (***Annual Appropriations Resolution***) submitted by Mayor Autry on July 10, 2003 (***Council action to reconsider and override Mayor veto requires 5 affirmative votes***) - Councilmember Dages
1. **RESOLUTION NO. 2003-209 - (Action #2-A)** - Appropriate \$2,139,000 million of Neighborhood Infrastructure to fund Council projects, divided equally among the seven Council districts
Action Taken:
 2. **RESOLUTION NO. 2003-209 - (Action #4-A)** - Appropriate \$300,000 to Economic Development Corporation contingency [from line item 53302]
Action Taken:
 3. **RESOLUTION NO. 2003-209 - (Action #5-A)** - Appropriate \$56,300 to General City Purpose contingency
Action Taken:
 4. **RESOLUTION NO. 2003-209 - (Action #5-D)** - Maintain Human Relations Commission in City Manager's Office with a budget of \$193,100; staffing to remain unchanged from FY 2002-2003
Action Taken:
 5. **RESOLUTION NO. 2003-209 - (Action #6-A)** - Appropriate \$100,200 to Fire Department budget [from unfunded Film Commission]
Action Taken:
 6. **RESOLUTION NO. 2003-209 - (Action #7-A)** - Appropriate \$500,000 from DAP and LIHP to the Minor Rehabilitation Program
Action Taken:
 7. **RESOLUTION NO. 2003-209 - (Action #8-A)** - Appropriate \$22,000 to Fire Department budget [from unfunded line item 53303 for Public Relations and Information in the City Manager's Office]
Action Taken:
 8. **RESOLUTION NO. 2003-209 - (Action #9-A)** - Appropriate \$1.2 million in General Fund contingency for CMAQ matching funds
Action Taken:

2. GENERAL ADMINISTRATION

- A.** Approve proposed amendment to the 2001-2002 Annual Action Plan to change a CDBG-funded Council neighborhood infrastructure project to a flood basin improvement project in Council District 3 - Planning and Development Dept.
Action Taken:

3. CITY COUNCIL

4. CLOSED SESSION

5. **CLOSED SESSION ANNOUNCEMENTS**

6. **PUBLIC COMMENT PERIOD - No Council action except to place on future agenda. Presentation limited to three (3) minutes.**

- A. Scheduled communications - Appearance by Alex Uribe to discuss a grandfather clause in relation to his car lot located at 427 N. Abby
- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Aug. 5- **NO MEETING - COUNCIL VACATION**
Aug. 12- **NO MEETING - COUNCIL VACATION**

Aug. 19- **10:00 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 49, Tract No. 4682
Aug. 19- **10:05 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 53, Tract No. 5029
Aug. 19- **10:15 A.M. HEARING** re: street name change 02-01, W. Acala to W. Alluvial Avenues, west of the N. Palm Avenue alignment
Aug. 19- **10:30 A.M. HEARING** re: Rezone Appl. No. R-02-047, property located at the northwest corner of E. Jensen Avenue and S. Sunnyside Avenue, filed by Granville Homes

Aug. 26- **10:00 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 54, Tract No. 4974
Aug. 26 - **10:15 A.M. HEARING** to consider resolution of public use and necessity for the acquisition of permanent easement and right of way for public street purposes from property located on the 3300 block of East Herndon Avenue (APNs 404-082-02 and 404-082-05) owned by Leslie L. Sassano.
Aug. 26 - **10:30 A.M. HEARING** re: Rezone Appl. No. R-03-29, property located at 1370 E. Alluvial, filed by Maurice and Violet Mesple
Aug. 26 - **10:40 A.M. HEARING** re: Rezone Appl. No. R-03-35, property located at 2556 N. Blythe Avenue, filed by Gretchen and Darryl Freedman
Aug. 26 - **10:50 A.M. HEARING** re: Rezone Appl. No. R-03-31, 18.6 acres on the northwest corner of S. Marks and W. Madison, related to Tract No. 5206, filed by Fresno Investment Group and Running Horse

Sept. 2- **NO MEETING - COUNCIL VACATION**
Sept. 9- **NO MEETING - COUNCIL VACATION**

Sept. 23- **8:30 A.M. JOINT MEETING** with Madera County Board of Supervisors - City Hall
Sept. 23- **10:00 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 55, Tract No. 5102
Sept. 23- **10:05 A.M. HEARING** re: Community Facilities District No. 2, Annexation No. 56, Tract No. 5190